

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-12-2019

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

A.S.NO.914 OF 2010

R.Balasubramani

.. Appellant

vs.

1.Mrs.B.Vijayalakshmi
2.Smt.J.Sarala @ Prema
3.Tmt.Gunalakshmi

.. Respondents

Appeal under Order XXXI Rule 1 of CPC r/w. Section 96 of CPC, to set aside the decree and judgment passed by the Learned III Additional Judge, City Civil Court, Madras in O.S.No.4851/2005 dated 27.04.2010.

For Appellant : Mr.MD.Sulaiman Basha
For Respondents : Mr.R.Deva Prasad
[For R1 to R3]

J U D G M E N T

The learned counsel appearing on behalf of the respondents made a submission that this First Appeal was referred to the Mediation and Conciliation Centre and before the Mediation Centre, the parties have settled the issues. In this regard, the learned counsel for the respondents filed a compromise memo to that effect. The said factum submitted by the learned counsel for the respondents are not disputed by the learned counsel for the appellant.

2. In view of the fact that the issues between the parties are settled before the Mediation and Conciliation Centre and they have arrived a conclusion, there is no further adjudication is required in respect of the grounds raised in this appeal.

3. Accordingly, the First Appeal stands disposed of. No costs.

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04.12.2019

FOR BEING MENTIONED

This matter having been listed 11.03.2020, under caption for being mention in pursuance of the order of this court dated 04.12.2019 and made herein in the presence Mr.MD.Sulaiman Basha, for the Appellant and of Mr.R.Devarj Prasad, for the first, second and third respondents, the court made the following order:-

Today, the matter is listed under the caption "for being mentioned".

2. This Court passed an order on 04.12.2019 regarding the fact that memo of compromise was filed. However, the Registry pointed out that the memo of compromise was filed before the City Civil Court and there is no report from the Mediation and Conciliation Centre. Thus, the case is listed under the caption "for being mentioned" today on 11.03.2020. The order passed by this Court on 04.12.2019 is recalled and the revised final order is passed.

3. The learned counsel appearing on behalf of the parties to the appeal suit made a submission that pursuant to the joint memo of compromise filed by the parties before the V Additional City Civil Court, Chennai dated 04.12.2019, the issues were settled. The City Civil Court has already passed a decree on 26.02.2020.

4. In view of the fact that the issues between the parties were settled before the City Civil Court and the decree also passed by the City Civil Court, no further adjudication is required, as far as the appeal suit is concerned. Therefore the appeal filed in A.S.No.914 of 2010 stands dismissed. No costs.

Sd/-

सत्यमेव जयते
Assistant Registrar (MD)

//True Copy//

Sub Assistant Registrar

ssb

To

1. The III Additional Judge,
City Civil Court, Madras.

2. The Section Officer,
VR Section, High Court,
Madras-104.

A.S.No.914 of 2010

NRL (CO)
CS/07/09/2020



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